REMARKS/ARGUMENTS

Claims 1-17 are pending in the application. Claims 1-17 have been rejected. Claim 1 herewith is amended, taking into account the Examiner's response in paragraph "Response to Arguments" on pages 7 and 8 of the last Office Action. The amendments of claim 1 are supported by the specification as originally filed, particularly on page 5, lines 20-21, on page 8, lines 18-21 and on page 12, lines 9-14. Favorable reconsideration of the application in view of the following remarks is respectfully requested.

Claim Rejections – 35 U.S.C. § 103(a)

Relying on 35 U.S.C. 103(a), the Examiner rejected claims 1-17 as being unpatentable over Hansson (U.S 6,023,620) in view of Jhanwar (U.S. 7,251,812). Applicants respectfully traverse the Examiner's rejection, and request reconsideration. Applicants respectfully submit that Hansson in view of Jhanwar do not disclose, teach, or suggest the process as claimed in the present application.

Applicants therefore respectfully request that the Examiner reconsiders and withdraws the rejection of the claims under 35 U.S.C. 103(a).

As already explained in detail in the response to the Office communication mailed on October 5, 2009, Hansson does not disclose or suggest in particular, as recited in claim 1 of the present application, to automatically destroy the old software of Hansson following its use from the terminal.

Jhanwar discloses a method for updating an operating system prior to installation of the operating system on a destination machine. The update content, which includes at least one file, is merged with the software (i.e., the operating system component) on an installation media, prior to installing the software on the destination machine. Jhanwar discloses, from column 11, line 56 to column 13, line 20, that the update content can comprise drivers and replacement files. Thereby, Jhanwar discloses a plurality of files; see, in particular: column 11, lines 58, 66; column 12, lines 1, 5, 17, 54; column 13, lines 3, 14, 19. These files are used during the upgrade device process, and Jhanwar only checks disk space and makes sure that there is enough disk space available before performing the update step. Thereby,

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Jhanwar does not address the problem of a device, such as a terminal, having a reduced memory capacity. Therefore, Jhanwar does not contemplate or incite that only one application program should be stored at the same time into the terminal to avoid blocking a memory in the terminal.

The process defined in amended claim 1 of the present application solves the problem, unrecognized in Hansson or Jhanwar, of avoiding overloading and blocking the reduced memory space of a terminal. The claimed solution to this problem is to have a single application stored and activated on the terminal which is then automatically destroyed when deactivated (after its use). The fact that Jhanwar discloses use of several files would rather deter the skilled person to arrive at the process defined in amended claim 1 of the present application, wherein the successive steps lead to having only one programming agent (if the programming agent is compared to a data file) stored in a terminal having a reduced memory capacity from which the application inherent to the programming agent is performed.

Jhanwar discloses, as the Examiner has recognized, in column 13, lines 16-20: "The setup process deletes all downloaded temporary files after installation is complete." Thus, Jhanwar refers only to "downloaded temporary files." However, the temporary files deleted after installing the updated software on the destination machine of Jhanwar cannot be equated or compared with a single-use application program as presently recited in claim 1 (i.e., the programming agent), which is used on a terminal to produce, for example, an imaging work such as a postcard, and which, when deactivated from said terminal is automatically destroyed in order to avoid blocking the memory space of the terminal.

Therefore, Jhanwar does not teach additional information to automatically destroy a programming agent, following its use, from a terminal, because the terminal has a reduced memory space. Thereby, it would not have been obvious to one having ordinary skill in the computer art at the time the invention was made, to modify the process disclosed by Hansson to automatically destroy the programming agent, following its use, from the terminal, in using the teaching of Jhanwar.

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In view thereof, it follows that the subject matter of claim 1 would not have been obvious from Hansson in view of Jhanwar at the time the invention was made. Claims 2-17 depend upon claim 1, and are distinguishable from Hansson in view of Jhanwar for at least the same reasons.

In view of the foregoing remarks and amendment, the claims should now be deemed allowable and such favorable action is courteously solicited.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

Respectfully submitted,

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

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